



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

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August 14, 1997

Karen M. Ricks, Project Manager  
Central Utah Water Conservancy District  
355 West 1300 South  
Orem, Utah 84058

Dear Karen:

We have reviewed the briefing document, accounting procedure and explanation of the 12 percent loss developed for the Wasatch County Water Efficiency Project. We found the briefing document to be well written and generally easy to understand. The documents on the accounting procedure and explanation of the 12 percent loss are technical in nature and may be difficult for some water users to follow. To help in completing the documents, we offer the following comments for your consideration.

#### BRIEFING DOCUMENT:

Several conflicting statements are contained in the document. These are the issue of the replacement water for Daniel Irrigation Company (DIC) and the legal status of the so called conserved water. The document states that the replacement water for DIC is not supplied from the conserved water. However, the feature is included as part of Figure 2. On the issue of the conserved water, we have discussed the legal nature of it at our previous meetings. The limit and measure of a water right is beneficial use. If a water user improves their irrigation efficiency and reduces the conveyance and application losses, they cannot apply that water to new lands or transfer to other uses. The point being, the irrigation companies are not actually transferring their historical conveyance and application losses to storage. They are entering agreements with CUWCD to construct the WCWEP, of which one element is construction of pipelines and sprinkler systems to increase their irrigation efficiency. This will result in their diversions decreasing by 28,000 acre-feet annually. The CUWCD will then divert this water to storage in Jordanelle Reservoir and use the water to meet the project purposes.

Perhaps a clearer statement regarding the purpose of the document would be of assistance. It is suggested the following statement be considered:

This paper will help water users on the Provo River and other interested persons to understand the proposed changes in water use associated with WCWEP, water right issues related to changes in water use, and a proposed solution to water right problems resulting from the changes.



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Page 1, line 14: Delete the words "affect existing water rights" and insert "be addressed."

Page 1, line 17: Delete the word "legally."

Page 1, Background Section: The list of items the WCWEP will do perhaps gives a false impression of what WCWEP's real objectives are. People are very concerned about the objectives of the project and being very direct and clear about what will occur would be better. The project will reduce irrigation diversions, and deliver replacement water to DIC for water not longer diverted from the Strawberry River drainage. WCWEP does not protect prior water rights. However, the document does address the difficult issue of return flows to the lower river and environment issues, and presents a possible solution to the problems.

Page 2, first paragraph, sentence beginning on line 10: This statement implies water for DIC will be supplied from sources other than those involved in this project. If true, the document is not clear on this matter. The reader is left with the impression the water is supplied from the 12% loss cited as a consumptive conveyance/application loss. How is such water conserved because of the project? Additional explanation is needed for this issue.

Page 2, third full paragraph, line 8: Delete the words "would be wasted" and insert "could not be used under the existing demand patterns."

Page 7, first side margin text: Modify to read "Waters of the irrigation companies not diverted for irrigation purposes will be subject to call by downstream water rights." The River Commissioner's job is to distribute water according to the established rights, not how water users should be entitled to divert.

#### ACCOUNTING PROCEDURE:

The data and information set forth in the accounting procedure is very important in understanding how potential effects of the project will be addressed.

Page 1, line 5: Delete the word "of" and insert "Engineer."

Page 1, line 6: Delete the word "Utah." Delete the words "implemented by the" and insert "be proposed as the approach to be followed by the Water Commissioner on the Provo River to account for water diverted under the change applications."

Page 1, line 7: Delete entire line.

Page 1, third paragraph, line 13: Delete the word "Because" and replace with "Under this accounting procedure the objective is to keep." Delete the words "will be kept."

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Page Three

Page 1, third paragraph, line 14: Delete the words "the Project will not impact" and insert "and thus address any impacts on downstream."

Page 2, first full paragraph, line 2: Delete the word "where."

Page 2 first full paragraph, line 3: Delete the words "will be input."

Page 2, fifth full paragraph: This paragraph is confusing and perhaps should be rewritten.

Page 2, last paragraph, line 5: Delete the word "additional." Insert at the end of the sentence the following, "from the conserved water storage in Jordanelle."

#### GRAPHS ATTACHED TO DOCUMENT:

There are too many graphs and it is confusing. Can they be simplified into one or two graphs?

#### EXPLANATION OF THE 12 PERCENT LOSS RATE ESTIMATE:

In addressing this issue, reaching a precise answer is difficult. The logic presented appears weak and is not convincing. Trying to defend the figures based on evapotranspiration changes is open to challenge, since there is no reduction in irrigated acreage and the conserved water will be used in much the same manner, with potential losses occurring. The importance of this issue is not clearly stated and perhaps more explanation is needed.

We hope that our comments are of assistance to you. Because the irrigation companies and District will be making change applications to the State Engineer for the Wasatch County Water Efficiency Project, you must understand that we have provided these comments to minimize potential conflicts. However, in the processing of the change applications, any data and information presented to the State Engineer must be objectively evaluated. As a result, we may develop findings which modify the approach set forth in your current documents. I praise the District for taking an open and forthright approach with this project and the water right issues.

If you have any questions about our comments or want to discuss other issues, please contact me.

Sincerely

Robert L. Morgan  
State Engineer